

HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

JOSE GUTIERREZ, et al.,

Plaintiffs,

v.

E&E FOODS, et al.,

Defendants.

NO. 2:21-cv-00682-RSM

STIPULATED MOTION AND ORDER  
ADDING PLAINTIFFS XAVIER ORTIZ  
AND GERBER GIRON BARRIOS

Note on Motion Calendar: July 9, 2021

**I STIPULATION**

The parties stipulate and ask the court to approve adding two additional named plaintiffs to the case, Xavier Ortiz and Gerber Giron Barrios. Mr. Ortiz and Mr. Giron filed substantially the same claims in their own lawsuits and intend to dismiss those claims from their lawsuits and join them with Plaintiffs in this case. See *Ortiz v E&E Foods, et al.*, USDC No. 2:20-cv-01767-RSM and *Giron v E&E Foods, et al.*, USDC No. 2:21-cv-00273-RSM. For purposes of the statutes of limitation, the parties further stipulate that the wage claims of Giron and Ortiz being joined in this action “relate back” to the dates they originally commenced their individual lawsuits, i.e., September 1, 2020, and October 26, 2020, respectively.

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1 IT IS SO STIPULATED this 9th day of July, 2021.

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DATED this 15<sup>th</sup> day of July, 2021.

RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE